

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1001 be amended to read as follows:

- 1           Page 399, between lines 19 and 20 , begin a new paragraph and  
2           insert:
- 3           "SECTION 437. [EFFECTIVE JANUARY 1, 1999  
4           (RETROACTIVE)]: (a) **This SECTION applies notwithstanding**  
5           **IC 6-1.1-12.1 or 50 IAC 10.**
- 6           (b) **As used in this SECTION, "agreement" means a**  
7           **memorandum of agreement entered into between a taxpayer and**  
8           **a consolidated city regarding the installation in an economic**  
9           **revitalization area of equipment that is subject to a deduction**  
10          **under IC 6-1.1-12.1.**
- 11          (c) **As used in this SECTION, "resolution" means any**  
12          **preliminary or final resolution of a metropolitan development**  
13          **commission regarding the designation of an economic**  
14          **revitalization area or the installation of equipment in an economic**  
15          **revitalization area.**
- 16          (d) **As used in this SECTION, "equipment" means new**  
17          **manufacturing, logistical distribution, information technology,**  
18          **and/or research and development equipment.**
- 19          (e) **As used in this SECTION, "taxpayer" means a taxpayer or**  
20          **its subsidiaries, affiliates, agents, successors and assigns that,**  
21          **between January 1, 1999 and December 31, 2007:**
- 22               (1) **engaged in manufacturing operations within an economic**  
23               **revitalization area in a county containing a consolidated city;**  
24               (2) **entered into one or more agreements with the consolidated**  
25               **city; and**
- 26               (3) **installed at least four hundred million (\$400,000,000) of**  
27               **equipment within the economic development area.**
- 28          (f) **As used in this SECTION, "recapture provision" means**  
29          **language within an agreement or within any resolution or other**  
30          **document that is related to the agreement or resolution that**  
31          **requires a taxpayer to repay all or some part of the property tax**

1 savings that the taxpayer received pursuant to property tax  
2 deductions that the taxpayer was permitted to claim and did claim  
3 under the agreement or resolution or other document related to the  
4 agreement or resolution.  
5 (g) The provisions of any recapture provision are not effective  
6 and shall not be enforceable until the taxpayer ceases all operations  
7 by all employees within the economic revitalization area that is the  
8 subject of the agreement containing the recapture provision.  
9 (h) This SECTION expires January 1, 2018.  
10 Renumber all SECTIONS consecutively.  
(Reference is to EHB 1001(ss) as printed June 19, 2009.)

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Senator TAYLOR